

OFFICIAL**Paul Hastings**

Paul, Hastings, Janofsky & Walker LLP
 3579 Valley Centre Drive, San Diego, CA 92130
 telephone 858-720-2500 / facsimile 858-720-2555 / www.paulhastings.com

RECEIVED
 CENTRAL FAX CENTER

NOV 24 2003

FACSIMILE TRANSMISSION

from: Diana L. Bush, Ph.D., Esq. **facsimile:** (858) 720-2555 **telephone:** (858) 720-2885 **initials:** DLB4

client name: Metabasis Therapeutics, Inc. **client matter number:** 45198.00037.CIP1

date: November 24, 2003 **pages (with cover):**

to: Examiner Shaojia A. Jiang **company/office:** USPTO **facsimile:** 703 308-4556 **telephone:** 703 305-1008

Art Unit 1617

comments:

U. S. Patent Application No. 09/900,364
**A COMBINATION OF FB₁ INHIBITORS AND ANTIDIABETIC AGENTS
 USEFUL FOR THE TREATMENT OF DIABETES**

Applicant: van Poelje et al.
Filing Date: July 5, 2001
Our Ref: 45198.00037.CIP1

Attached hereto are the following documents for filing in the above patent application:

1. Fee Transmittal Sheet
2. Petition for Extension of Time & Response to Restriction Requirement

CERTIFICATE OF TRANSMISSION
 (37 C.F.R. §1.8)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

November 24, 2003
 Date of Transmission

Kimila Carraway
 Name of Person Transmitting Paper
Kimila Carraway
 Signature of Person Transmitting Paper

If you do not receive all pages, please call immediately Facsimile Center: (858) 720-2903

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0851-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2003**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$750.00)**Complete if Known**

Application Number	09/900,364
Filing Date	November 24, 2003
First Named Inventor	van Poelje et al.
Examiner Name	Jiang, Shaojia A.
Group Art Unit	1817
Attorney Docket No.	45198.00037.CIP1

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

50-2613

Deposit
Account
Name

- ☒
- Charge Any Additional Fee Required
-
- Under 37 CFR 1.18 and 1.17

- ☐
- Applicant claims small entity status. See
-
- 37 CFR 1.27

Charge fee(s)

- 2.
- ☒
- indicated below:

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	\$2,010.00
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
136	1,510	136	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 2,010.00)**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	780	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
1	-20**	18	0
1	-3**	84	0

Multiple Dependent

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	- Reissue independent claims over original patent	
1205	18	2205	9	- Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ 0)

*or number previously paid, if greater, For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Diana L. Bush, Ph.D., Esq.	Registration No. (Attorney/Agent)	51,109	Telephone	(858) 720-2500
Signature	<i>Diana L. Bush</i>	Date	11/24/03		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Patent
45198.00037.CIP1**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE** RECEIVED
CENTRAL FAX CENTER

NOV 24 2003

OFFICIALApplicants: van Poelje *et al.*

Serial No.: 09/900,364

Filed: July 5, 2001

Title: **A COMBINATION OF FBPass
INHIBITORS AND ANTIDIABETIC
AGENTS USEFUL FOR THE
TREATMENT OF DIABETES**

Group Art Unit: 1617

Examiner: Jiang, Shaojia A.

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450**PETITION FOR EXTENSION OF TIME**
&
RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This communication is responsive to the Written Restriction Requirement mailed May 23, 2003. Applicants hereby apply for a 5-month extension of time under 37 CFR § 1.136(a). With the granting of the foregoing petition for extension of time, it is believed that this response is timely filed. If any fee should become due or credit become payable during the pendency of this application, the Examiner is authorized to charge or credit the same to deposit account number 50-2613.

CERTIFICATE OF TRANSMISSION
(37 C.F.R. §1.8)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

11/24/03
Date of Transmission
SAN/71914.1Kimila Carraway
Name of Person Transmitting Paper
Kimila Carraway
Signature of Person Transmitting Paper